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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,171	06/18/2002	James W. Adkisson	BUR919990299	8362

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EXAMINER
MAGEE, THOMAS J

ART UNIT	PAPER NUMBER
2811	

DATE MAILED: 09/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/064,171	Applicant(s) ADKISSON ET AL.	
	Examiner Thomas J. Magee	Art Unit 2811	

-- The MAILING DATE of this communication appears on the cover sheet with the correspond nce address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 June 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Drawing Corrections

1. The subject matter of this application requires additional illustration by drawings to facilitate understanding of the invention. Applicant is required to furnish drawings under 37 CFR 1.81. No new matter may be introduced in the required drawings. Required drawings include the following:

a) spatial positioning of source/drain regions. Although Applicant has recited that the source/drain regions are "in front or behind the plane of the page in cross-sectional views," this is inadequate and difficult for one of ordinary skill in the art to perceive, particularly in regard to channel and recess of silicide regions and appropriate illustration is required.

b) damascene connectors. Applicant has recited extremely briefly the use of damascene connectors in the specification, followed by recitation of damascene connectors in four out of eight claims. Applicant is required to illustrate these connectors in drawings.

The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections – 35 U.S.C. 112

2.. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 4, 5, 7, and 8 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant recites very briefly (paragraphs 0030 and 0031) the use of damascene connector structures, but insufficient detail is provided to enable one skilled in the art to use or practice the invention without a great deal of experimentation. Moreover, there are no illustrations to convey the concepts contained in the specification.

Claim Rejections – 35 U.S.C. 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1 – 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizuno et al. (US 5,844,278) in view of Sung (US 5,792,690).

6. Regarding Claim 1, Mizuno et al. disclose an FET semiconductor device (Figure 17) comprising a conduction channel (under gate 56) of length equal to 0.1um, corresponding to the width of the "projection part" (52) (Col. 14, line 29) and width < 0.1um (from measurements approximated in Figure 17) ("sub-lithographic"), source and drain regions (57,58) and polysilicon gate regions (56) (Col. 4, lines 43 – 45) on opposing sides of the conduction channel. Mizuno et al. do not disclose the presence of silicide sidewalls on polysilicon gates or "offsets" (recesses) from source/drain regions. Sung discloses the formation of silicide spacers (8) (Figure 3b) (Col. 6, lines 4 – 5) (Col. 1, lines 61 – 63) (Col. 2, lines 7 – 10) (Col. 7, lines 60 – 61) on a polysilicon line trace deposited on a dielectric layer (5) with an ancillary objective (Col. 1, lines 61 – 63) of forming silicide spacers on the sides of polysilicon gate structures to reduce gate resistance. It would then have been obvious to one of ordinary skill in the art at the time of the invention to use the procedure of Sung with an underlying insulating layer (5) and silicide spacer (8) on a polysilicon line in Mizuno et al. to form a silicide spacer at the sidewalls of the polysilicon gate with an underlying insulator (to provide an offset at the source/drain regions) and thereby to reduce gate resistance and avoid shorts.

Further, Mizuno et al. disclose (Figures 17 and 18) that the polysilicon gate regions are on opposing sides of the conduction channel and are recessed (Figure 18) from the source/drain regions.

7. Regarding Claim 2, Mizuno et al. do not disclose the presence of silicide spacers at sidewalls in the form of liners. Sung discloses the formation of silicide spacers (8) in the

form of liners (Figure 3b) (Col. 6, lines 4 – 5) on a polysilicon line trace deposited on a dielectric layer (5) with an ancillary objective (Col.1, lines 61 – 63) of forming silicide spacers on the sides of polysilicon gate structures to reduce gate resistance. It would then have been obvious to one of ordinary skill in the art at the time of the invention to use the procedure of Sung with an underlying insulating layer (5) and silicide spacer (8) on a polysilicon line in Mizuno et al. to form a silicide spacer in the form of a liner at the sidewalls of the polysilicon gate with an underlying insulator (to provide an offset at the source/drain regions) and thereby to reduce gate resistance and avoid shorts.

8. Regarding Claim 3, Mizuno et al. disclose that the polysilicon gate regions are connected with a polysilicon strip at the top (See Figure 17).

9. Claims 4, and 5, in so far as being in compliance with 35 U.S.C. 112, first paragraph, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizuno et al. in view of Sung, as applied to Claims 1 – 3, and further in view of Liu et al. (US 6,380,078 B1).

10. Regarding Claims 4 and 5, neither Mizuno et al. or Sung disclose that the connector is a damascene connector. However, Liu et al. disclose a method for forming damascene interconnects (See Figure 2F) wherein trenches are formed in an insulating layer, filled with metal, and the surface planarized (Col. 8, lines 47 – 54). It would have been obvious at the time of the invention to one of ordinary skill in the art to use the method of Liu et al. to form damascene interconnects and to combine Liu et al. with Mizuno et al. and Sung to reduce the delay associated with resistance and capacitance of the interconnect

structure.

11. Claim 6 and Claims 7 and 8, in so far as being in compliance with 35 U.S.C. 103(a), are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizuno et al. in view of Sung, as applied to Claims 1 – 3, and further in view of Liu et al.

12. Regarding Claims 6 – 8, neither Mizuno et al. or Sung disclose that the silicide sidewalls are connected or that the connector is a damascene connector formed within a trench in the insulating region. However, Liu et al. disclose a method for forming damascene interconnects (See Figure 2F) wherein trenches are formed in an insulating layer, filled with metal, and the surface planarized (Col. 8, lines 47 – 54). It would have been obvious at the time of the invention to one of ordinary skill in the art to use the method of Liu et al. to form damascene interconnects and to combine Liu et al. with Mizuno et al. and Sung to reduce the delay associated with resistance and capacitance of the interconnect structure.

Response to Arguments

13. Arguments of Applicant have been carefully considered but have been found to be unpersuasive. The requirement for additional illustration remains. With the existing drawings there is no clear definitive relationship shown between source/drain regions and other parts of the claimed invention and there is more ambiguity than clarity provided. Further, the damascene structure is not well illustrated in Figures 5, 5A, and a simple indication of a pad does not delineate a damascene structure or its relation to other

parts. These corrections are now required to avoid abandonment.

Arguments regarding the definition of "sublithographic" seem peripheral. The "dimensions" of "sublithographic" are changing and what was defined as such ten years ago is not the same as today. Further, the definition has changed even since the instant application was filed in 2002. Additionally, "sublithographic" refers to a process step and is not an appropriate device (structural) limitation. Therefore, dimensions must be provided and should be readily available from data acquired by Applicant.

In regard to rejections made by Examiner, Applicant has not provided sufficient evidence that the rejections are inappropriate. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusions

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **Thomas Magee**, whose telephone number is **(703) 305 5396.** The Examiner can normally be reached on Monday through Friday from 8:30AM to 5:00PM (EST). If attempts to reach the Examiner by telephone are unsuccessful, the examiner's supervisor, **Tom Thomas**, can be reached on **(703) 308-2772.**. The fax number for the organization where this application or proceeding is assigned is **(703) 308-7722.**

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